

HIGH COURT OF CHHATTISGARH, BILASPUR

M.CR.C.(A). No. 316 of 2016

1. Ramkumari Kushwaha, W/o. Shri Krishna Chand Kushwaha, aged about 48 years, R/o. Sakin Village Khairi, P.S. - Patna, District-Koria (C.G.)

----Applicant

Versus

1. State of Chhattisgarh, Through : Police Station Patna, District - Koria (C.G.)

---- Respondent

For Applicant	: Mr. Maneesh Sharma, Advocate
For Respondent/State	: Ms. Sunita Jain, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

04/04/2016

1. Apprehending arrest in connection with Crime No.29/2016 registered at Police Station- Patna, District – Koria (C.G.), for offence punishable under Section 306 read with Section 34 of the Indian Penal Code, the applicant has preferred this application for grant of anticipatory bail.
2. As per the prosecution case, one Ramchandra Kushwaha committed suicide by hanging on 17.10.2015 and it was the allegation that on account of election dispute, the applicant used to humiliate the deceased, Ramchandra as a consequence thereof abetted the deceased to commit suicide.
3. Learned counsel for the applicant would submit that false allegation have been levelled against the applicant since the incident was of 17.10.2015 and the deceased was also related and because of election, some dispute arose between the deceased and the applicant and their family members, which can not be stated to be a abetment to commit suicide, therefore, the counsel prays that the applicant may be extended the benefit of anticipatory bail.

4. Per contra learned State counsel opposes the application for grant of anticipatory bail.
5. Perused the case diary and the statement of Renu Kushwaha and Kanti Bai Kushwaha, the wife and mother of the deceased. After going through the statement of the witnesses, without any observation on merits, this Court is inclined to extend the benefit of anticipatory bail to the applicant.
6. Accordingly, the anticipatory bail application is allowed and it is directed that in the event of arrest of the applicant in connection with the aforesaid offence, she shall be released on bail by the officer arresting her on executing a personal bond in sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned Investigating Officer. The applicant shall also abide by the following conditions :
 - (i) that the applicant shall make herself available for interrogation before the investigating officer as and when required;
 - (ii) that the applicant shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him/her from disclosing such facts to the Court or to any police officer;
 - (iii) that the applicant shall not act, in any manner, which will be prejudicial to fair and expeditious trial; and
 - (iv) that the applicant shall appear before the trial Court on each and every date given to her by the said Court till disposal of the trial.

Certified copy as per rules.

Sd/-
(Goutam Bhaduri)
Judge